



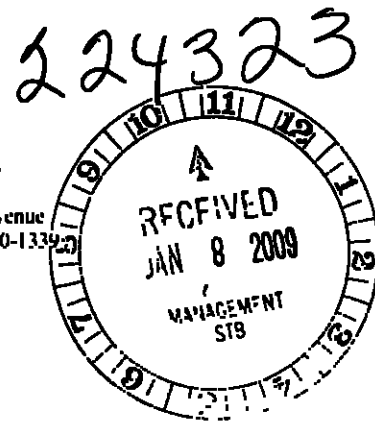
www.cn.ca

I am

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca



January 7, 2009

Via Overnight Mail

Ms. Anne Quinlan
Acting Secretary
Surface Transportation Board
395 E. Street, S.W.
Washington, DC 20424

ENTERED
Office of Proceedings

JAN 8 2009

Part of
Public Record

Re Docket No. AB-43 (Sub-No 182X), Illinois Central Railroad Company
— Abandonment Exemption — in Grenada, Grenada County, Mississippi

Dear Ms. Quinlan:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the Verified Notice of Exemption of Illinois Central Railroad Company dated January 7, 2009, pursuant to 49 C.I.R. § 1152.50. I am also enclosing a check in the amount of \$3,700.00, representing the appropriate fee for this filing.

One extra copy of this transmittal letter is enclosed as well. Please date stamp this copy to show receipt and return it to me in the enclosed envelope.

The Environmental and Historic Reports for this proceeding have already been filed with the Board. Feel free to contact me if you have any questions. Thank you for your assistance in this matter.

FEE RECEIVED
JAN 8 - 2009
SURFACE
TRANSPORTATION BOARD

Respectfully submitted,

Thomas J. Healey
Attorney for
Illinois Central Railroad Company

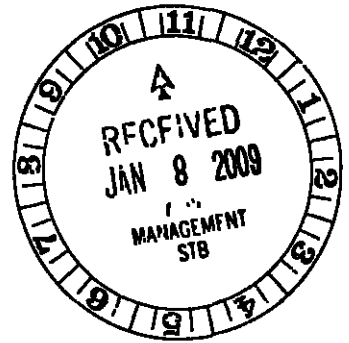
Encls.

cc: Mississippi Department of Transportation

FILED
JAN 8 - 2009
SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-43 (SUB-NO. 182X)



ILLINOIS CENTRAL RAILROAD COMPANY
— ABANDONMENT EXEMPTION —
IN GRENADA, GRENADA COUNTY, MISSISSIPPI

VERIFIED NOTICE OF EXEMPTION OF
ILLINOIS CENTRAL RAILROAD COMPANY
PURSUANT TO 49 C.F.R. § 1152.50

ENTERED
Office of Proceedings
JAN 8 2009
Part of
Public Record

FEE RECEIVED
JAN 8 - 2009
SURFACE
TRANSPORTATION BOARD

FILED
JAN 8 - 2009
SURFACE
TRANSPORTATION BOARD

Thomas J. Healey
17641 S. Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381
ATTORNEY FOR
ILLINOIS CENTRAL
RAILROAD COMPANY

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-43 (Sub-No 182X)

ILLINOIS CENTRAL RAILROAD COMPANY
- ABANDONMENT EXEMPTION -
IN GRENADA, GRENADA COUNTY, MISSISSIPPI

**VERIFIED NOTICE OF EXEMPTION OF
ILLINOIS CENTRAL RAILROAD COMPANY
PURSUANT TO 49 C.F.R. § 1152.50**

Illinois Central Railroad Company ("IC") hereby submits this Notice of Exemption pursuant to 49 C.F.R. Part 1152, Subpart F, to abandon its line of railroad in Grenada, Grenada County, Mississippi, referred to herein as the "Line" between milepost 311.90 and milepost 313.10, a distance of 1.20 miles.

In accordance with the requirements of 49 C.F.R. § 1152.50(d)(2), IC submits the following information:

General Corporation Information: 49 C.F.R. § 1152.22(a)(1)-(2)

IC is a Class I common carrier by rail which owns and operates approximately 2,550 miles of rail line in six Midwestern and south central states. IC is a wholly-owned subsidiary of Canadian National Railway Company. The complete name and address of IC is:

Illinois Central Railroad Company
17641 S. Ashland Avenue
Homewood, IL 60430-1345

Relief Sought: 49 C.F.R. § 1152.22(a)(3)

Pursuant to the Board's class exemption for the abandonment of out-of-service rail lines, codified at 49 C.F.R. Part 1152. Subpart F, IC intends to abandon its line of railroad between Mileposts 311.90 and 313.10, a distance of approximately 1.20 miles in Grenada, Grenada County, Mississippi.

Map: 49 C.F.R. § 1152.22(a)(4)

A map of the Line to be abandoned is attached hereto as Exhibit A.

IC's Representative: 49 C.F.R. § 1152.22(a)(7)

IC's representative to whom correspondence regarding this abandonment should be sent is:

Thomas J. Healey
17641 S. Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381

ZIP Codes Traversed: 49 C.F.R. § 1152.22(a)(8)

The portion of the Line to be abandoned traverses United States Postal Service ZIP Code 38901.

Qualification for Class Exemption: 49 C.F.R. § 1152.50(b)

Per the certificate and verification attached hereto as Exhibit B, IC certifies that no local revenue traffic has moved over the portion of the Line to be abandoned for at least the last two years, there is no overhead traffic on the Grenada trackage that would have to be rerouted over other lines, and no formal complaint filed by a user of rail service on the portion of the Line to be abandoned (or a state or local governmental entity acting on behalf of such user) regarding cessation of service on the proposed abandonment is pending with the Board or any U.S. District Court or has been decided in favor of the complainant during the last two years

Consummation Date: 49 C.F.R. § 1152.50(d)(2)

IC will not consummate the proposed abandonment any earlier than March 9, 2009

Suitability for Other Public Purposes: 49 C.F.R. § 1152.22(e)(4)

IC does not believe that the right-of-way would be of interest to the State or any other entity as a highway or mass transportation line or other similar public use because it sits in a developed urban area with a mature roadway system.

Labor Protection: 49 C.F.R. 1152.50(d)(2)

The level of labor protection applicable in rail line abandonment's is that established in *Oregon Short Line Co Abandonment — Goshen*, 360 I.C.C. 91 (1979)

Certificate of Compliance with Notice Requirements: 49 C.F.R. § 1152.50(d)(2)

A certificate that the notice of requirements of 49 C.F.R. § 1152(d)(1) and 49 C.F.R. § 1105.11 have been complied with is attached hereto as Exhibit C.

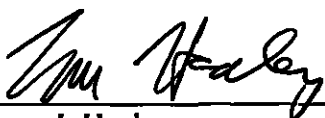
Environmental and Historic Report: 49 C.F.R. §§ 1105.7 and 1105.8

An Environmental Report and Historic Report, prepared pursuant to 49 C.F.R. §§ 1105.7 and 1105.8, were already filed with the Surface Transportation Board in this proceeding.

Since filing the Environmental and Historic Report with the Surface Transportation Board, IC has received correspondence from the Department of the Army, see correspondence attached as Exhibit D. The Department has stated that IC does not need a permit for this proposed abandonment.

IC has also received correspondence from the Mississippi Department of Marine Resources, see correspondence attached as Exhibit E. The Department has no objections to the proposed abandonment.

Respectfully submitted,

By 
Thomas J. Healey
17641 S. Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381

ATTORNEY FOR ILLINOIS CENTRAL
RAILROAD COMPANY

Dated. January 7, 2009

GRENADA, GRENADA COUNTY, MISSISSIPPI

Begin Abandonment
Milepost 310.10

AB-43 (SUB NO. 182X)

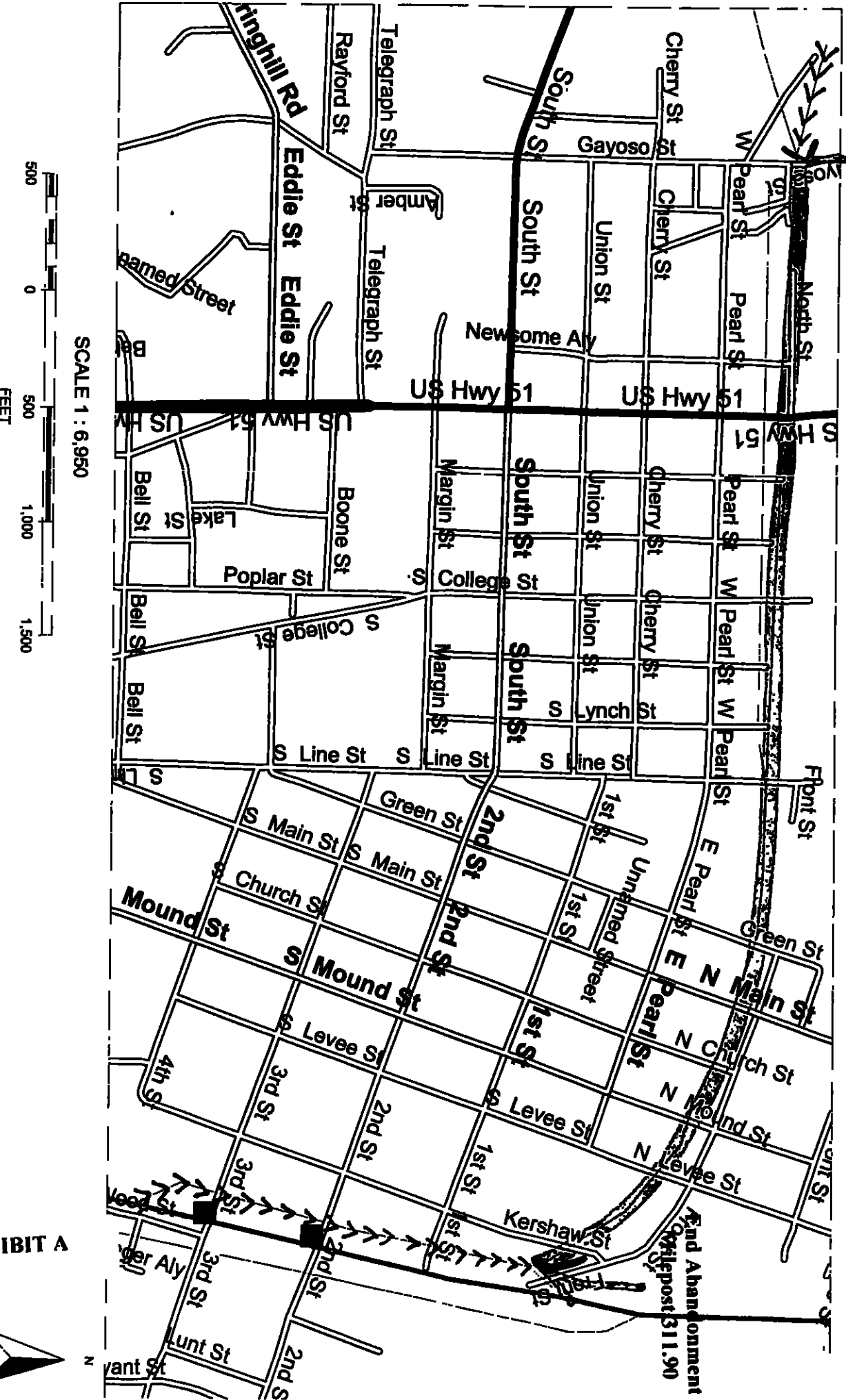


EXHIBIT A

EXHIBIT B

DOCKET NO. AB-43 (SUB-NO. 182X)

**ILLINOIS CENTRAL RAILROAD COMPANY
— ABANDONMENT EXEMPTION —
IN GRENADA, GRENADA COUNTY, MISSISSIPPI**


CERTIFICATE AND VERIFICATION

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

Robert M. Wedam, being duly sworn, deposes and says.

- 1 That no local traffic has moved over the line of Illinois Central Railroad Company ("IC") from milepost 311.90 to 313.10, a distance of 1.20 miles in Grenada, Grenada County, Mississippi, for at least two years, and that there is no overhead traffic to be rerouted over other lines; and
2. That no formal complaint filed by a user of rail service on the subject line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line is either pending with the Surface Transportation Board or any U S District Court or has been decided in favor of the complainant within the last two years; and
3. That he has read the foregoing Notice of Exemption, knows the facts therein asserted, and that the same are true as stated.

Date: January 7, 2009


Robert M. Wedam
Senior Manager – Network Strategies
Illinois Central Railroad Company

Subscribed and sworn to
before me this 7th day of
January, 2009.


Notary Public

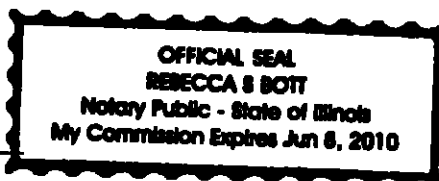


EXHIBIT C

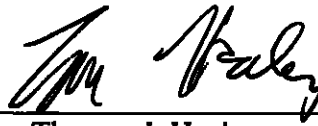
CERTIFICATE

I, Thomas J. Healey, an attorney for Illinois Central Railroad Company, hereby certify that, for the proceeding before the Surface Transportation Board known as Docket No. AB-43 (Sub-No. 182X), Illinois Central Railroad Company — Abandonment Exemption — in Grenada, Grenada County, Mississippi:

(1) The notice requirements of 49 C.F.R. § 1152.50(d)(1) have been complied with, to-wit: On December 15, 2008, written notice was mailed to the: (a) Mississippi Department of Transportation; (b) U.S. Department of Defense, MIMCIEA; (c) National Center for Recreation and Conservation; and (d) U.S. Department of Agriculture (copies of which are attached hereto as Attachments 1-4).

(2) The notice requirements of 49 C.F.R. § 1105.11 have been complied with, to wit: On November 17, 2008, the Environmental Report and Historic Report for this proceeding, which reports have also been filed with the Surface Transportation Board, and the accompanying transmittal letters in the form set forth in 49 C.F.R. § 1105.11 (a sample of which is attached hereto as Attachment 5) were served by first class mail, postage prepaid, on the parties listed on Attachment 6, which list includes the state historic preservation officer, as required by 49 C.F.R. § 1105.7(b) and § 1105.11.

(3) A newspaper notice was published on October 29, 2008, in *The Commonwealth*, a newspaper of general circulation in Grenada, Grenada County, Mississippi. The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for participating in the STB proceeding. A copy of the notice and Affidavit of Publication are attached to this Certificate as Attachment 7

A handwritten signature in black ink, appearing to read 'Tom Healey', is written over a horizontal line.

Thomas J. Healey

Dated: January 7, 2009



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

December 15, 2008

Mr Steve Edwards
Mississippi Department of Transportation
Administration Building
PO Box 1850
Jackson, MS 39215-1850

Re. Docket No AB-43 (Sub-No 182X), Illinois Central Railroad Company
Notice of Exemption in Grenada, Grenada County, Mississippi

Dear Mr Edwards:

This is to inform you that pursuant to 49 C F R § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Illinois Central Railroad Company shall on or after December 29, 2008, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.20 miles of railroad line starting at milepost 311.90 and ending at milepost 313.10 in Grenada County, Grenada, Mississippi. Such line runs through U.S. Postal Zip Code 38901.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for Illinois Central Railroad Company



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

December 15, 2008

Military Surface Deployment and Distribution Command
Transportation Engineering Agency
Attn: SDTE-SA (Railroads for National Defense)
709 Ward Drive, Building 1990
Scott AFB, IL 62225-5357

Re. Docket No. AB-43 (Sub-No. 182X), Illinois Central Railroad Company
Notice of Exemption in Grenada, Grenada County, Mississippi

Dear Sir/Madam

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Illinois Central Railroad Company shall on or after December 29, 2008, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.20 miles of railroad line starting at milepost 311.90 and ending at milepost 313.10 in Grenada County, Grenada, Mississippi. Such line runs through U.S. Postal Zip Code 38901.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for Illinois Central Railroad Company



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4361
F - 708-332-4361
tom.healey@cn.ca

December 15, 2008

Mr. Thomas Ross, Division Chief
National Center for Recreation and Conservation
National Park Service
1849 C Street, N.W.
Org. Code 2220
Washington, D.C. 20420

Re Docket No. AB-43 (Sub-No. 182X), Illinois Central Railroad Company
Notice of Exemption in Grenada, Grenada County, Mississippi

Dear Mr. Ross:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Illinois Central Railroad Company shall on or after December 29, 2008, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.20 miles of railroad line starting at milepost 311.90 and ending at milepost 313.10 in Grenada County, Grenada, Mississippi. Such line runs through U.S. Postal Zip Code 38901.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for Illinois Central Railroad Company



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

December 15, 2008

Ms Abigail Kimball
Chief, Forest Service
U.S. Department of Agriculture
1400 Independence Ave , S W
RM 4NW YATESBG
Washington, DC 20250

Re: Docket No AB-43 (Sub-No 182X), Illinois Central Railroad Company
Notice of Exemption in Grenada, Grenada County, Mississippi

Dear Ms Kimball

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Illinois Central Railroad Company shall on or after December 29, 2008, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.20 miles of railroad line starting at milepost 311.90 and ending at milepost 313.10 in Grenada County, Grenada, Mississippi. Such line runs through U.S. Postal Zip Code 38901.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for Illinois Central Railroad Company



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

November 17, 2008

**Re: Illinois Central Railroad Company Notice of Exemption for Abandonment –
Grenada, Grenada County, Mississippi - Docket AB-43 (Sub-No. 182X)**

To Whom It May Concern:

Any time on or after December 22, 2008, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 311 90 and milepost 313 10, a distance of 1 20 miles, in Grenada County, Mississippi. Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis (SEA), at the Surface Transportation Board, 395 E Street, SW, Washington, D.C. 20423-0001, (202) 245-0245, and refer to the above docket number.

IC will file the Environmental Report and Historic Report with the STB on or about November 17, 2008. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (708) 332-4381 or by mail at the above address.

Sincerely,

Thomas J. Healey
Attorney for Illinois Central Railroad Company

Encls

Ms Janet Riddell, Clearinghouse Officer
Department of Finance and Administration
1301 Woolfolk Building, Suite E
501 North West Street
Jackson, Mississippi 39201

Mr Duncan Powell
United States Environmental Protection Agency
Region 4, Sam Nunn Atlanta Federal Center
61 Forsyth Street, 15th Floor
Atlanta, GA 30303-8960

Ms. Willa Brantley, Bureau Director
Mississippi Department of Marine Resources
1141 Bayview Ave
Biloxi, MS 39530-1613

Mr Chad Bridges, County Board Supervisor
Grenada County
P.O. Box 1208, County Courthouse
Grenada, MS 38902-1208

Mr David S. Evans, Director
U S. Environmental Protection Agency
Office of Water (4101M)
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Mr. Robert Oliveri
U.S Fish & Wildlife Service
6578 Dogwood View Parkway
Suite B
Jackson, MS 39213

US Army Corp of Engineers
Mississippi Valley Division
ATTN: CEMVD-PA
P O. Box 80
Vicksburg, MS 39181-0080

National Park Service
Attn. Andy Sanderson
Mississippi Natural Heritage Program
2148 Riverside Drive
Jackson, MS 39202-1353

Mr. Don Underwood, Executive Director
Mississippi Soil & Water Conservation Commission
P O Box 23005
Jackson, Mississippi 39225-3005

Mr. Steve Edwards
Mississippi Department of Transportation
Administration Building
P O. Box 1850
Jackson, MS 39215-1850

ATTACHMENT 6

16

Mr. Jay Gore, III
Gore, Kilpatrick & Dambrino, PLLC
Ridgeland Office
402 Legacy Park/39157
PO Drawer 2900
Ridgeland, MS 39158-2900

Mr. Jim Woodrick, Review and
Compliance Officer
MDAH Historic Preservation Division
P O. Box 571
Jackson, MS 39205-0571

Mr. Simon Monroe
National Geodetic Survey
Simon.Monroe@noaa.gov

[illegible]

MISSISSIPPI STATE NOTARY PUBLIC
MY COMMISSION EXPIRES AUGUST 20, 2010
BONDED THRU STEGALL NOTARY SERVICE



DEPARTMENT OF THE ARMY

VICKSBURG DISTRICT, CORPS OF ENGINEERS

4155 CLAY STREET

VICKSBURG, MISSISSIPPI 39183-3435

REPLY TO
ATTENTION OF

December 2, 2008

Operations Division

SUBJECT: Illinois Central Railroad Company, Exemption for
Abandonment, Grenada, Grenada County, Mississippi

Mr. Thomas J. Healey
Illinois Central Railroad Company
17641 South Ashland Avenue
Homewood, Illinois 60430-1339

Dear Mr. Healey:

I refer to your November 17, 2008, letter concerning proposed exemption for abandonment of a section of railroad track located in Grenada, Grenada County, Mississippi. The location of the activity is depicted on the enclosed map (enclosure 1).

Based upon the information provided, it appears that a Department of the Army permit, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act will not be required for the proposed work. In the event that project plans are changed, or if you anticipate any additional construction, please contact this office for a reevaluation of permit requirements and refer to Identification No. MVK-2008-1320 when submitting the information.

This determination of Department of Army regulatory requirements was based upon a preliminary jurisdictional determination that there are no jurisdictional areas being impacted by the proposed work on the property subject to regulation pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or to Section 404 of the Clean Water Act. An appeals form for this preliminary jurisdictional determination has been enclosed for your review (enclosure 2).

This determination of Department of the Army regulatory requirements does not convey any property rights, either in real estate or material or any exclusive privileges, and does not authorize any injury to property or invasion of rights or local laws or regulations, or obviate the requirement to obtain State or local assent required by law for the activity discussed herein.

If we may be of any further assistance in this matter, please contact Mr. Thomas Hoff of this office, telephone (601) 631-7104, fax (601) 631-5459, or e-mail address: regulatory@usace.army.mil.

The Vicksburg District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete the Customer Service Survey found on our web site at <http://per2.nwp.usace.army.mil/survey.html>. If it is more convenient for you, please complete and return the enclosed postage-paid post card (enclosure 3).

Sincerely,

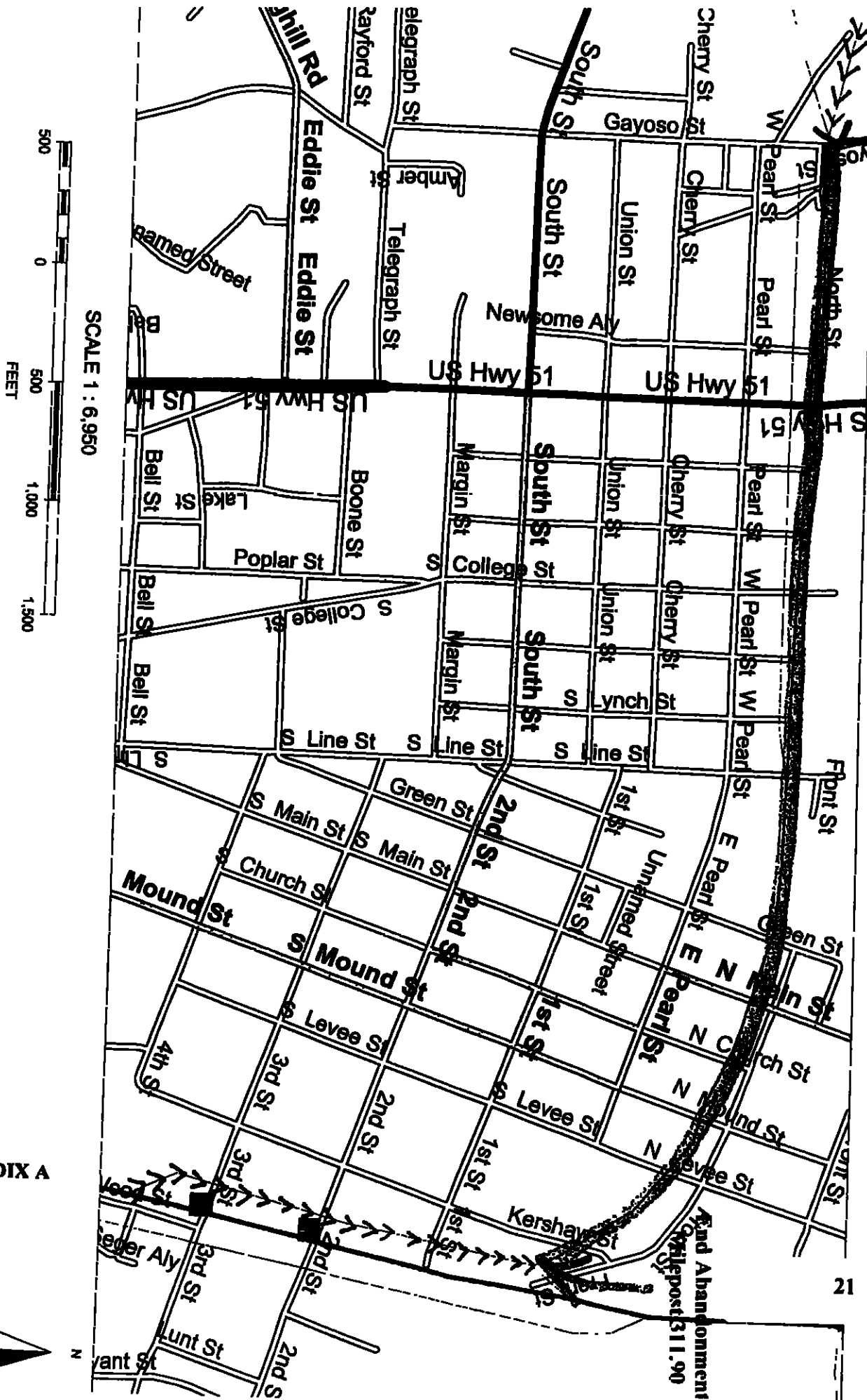
A handwritten signature in black ink, appearing to read "David Lofton", written over the typed name.

David Lofton
Chief, Permit Section
Regulatory Branch

Enclosures

Begin Abandonment
Milepost 310.10

AB-43 (SUB NO. 182X)



APPENDIX A

Enclosure 1

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant	Illinois Central Railroad Company	File Number:	MVK-2008-1320	Date	December 2, 2008
Attached is:				See Section Below	
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of Permission)			A	
	PROFFERED PERMIT (Standard Permit or Letter of Permission)			B	
	PERMIT DENIAL			C	
	APPROVED JURISDICTIONAL DETERMINATION			D	
X	PRELIMINARY JURISDICTIONAL DETERMINATION			E	

SECTION I: The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/ccwo/reg> or Corps regulations at 33 CFR Part 331.

A. INITIAL PROFFERED PERMIT: You may accept or object to the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations (JD) associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B. PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C. PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D. APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E. PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact

Thomas Hoff
U S Army Corps of Engineers
Regulatory Branch
4155 Clay Street
Vicksburg, MS 39183-3435
(601) 631-7104

If you only have questions regarding the appeal process you may also contact.

Division Engineer
Attn: Appeals Review Officer
Mississippi Valley Division
Post Office Box 80
Vicksburg, MS 39181-0080
(601) 634-5820

RIGHT OF ENTRY Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date

Telephone number



**MISSISSIPPI
DEPARTMENT OF MARINE RESOURCES**

December 1, 2008

Thomas J Healey
Illinois Central Railroad Company
17641 S. Ashland Avenue
Homewood, IL 60430-1339

RE DMR-090265; Illinois Central Railroad Proposed Abandonment in Grenada County, Greenwood, Mississippi

Dear Mr. Healey

The Department of Marine Resources in cooperation with other state agencies is responsible under the Mississippi Coastal Program (MCP) for managing the coastal resources of Mississippi. Proposed activities in the coastal area are reviewed to insure that the activities are in compliance with the MCP.

The Department has received a request from the Illinois Central Railroad Company to review a proposed abandonment of 1.20 miles of railroad track located in Greenwood, Grenada County, Mississippi, running from Milepost 311.90 to Milepost 313.10. Based on the proposal as submitted, it appears that there will be no direct or indirect impacts to coastal wetlands, therefore the Department has no objections to the proposed abandonment. Thank you for the opportunity to comment on your project.

For more information or questions concerning this correspondence, contact Jana Guynes with the Bureau of Wetlands Permitting at 228-523-4118 or jana.guynes@dmr.ms.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Willa J. Brantley".

Willa J. Brantley
Bureau Director, Wetlands Permitting

WB/jjg

EXHIBIT E

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